

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAYQUAN JOHNSON,

Plaintiff,

-against-

DEPARTMENT OF CORRECTIONS, ET AL.,

Defendants.

20-CV-10119 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

By order dated December 3, 2020, the Court directed Plaintiff, within thirty days, to submit a completed request to proceed *in forma pauperis* (“IFP application”) and prisoner authorization or pay the \$400.00 in fees required to file a civil action in this Court. That order specified that failure to comply would result in dismissal of the complaint. Plaintiff has not paid the fees or filed an IFP application and prisoner authorization. Moreover, the order mailed to Plaintiff was returned to the Court as undeliverable, and Plaintiff has not provided a new address. Accordingly, the complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Clerk of Court is directed to mail a copy of this order to Plaintiff at his address of record and note service on the docket. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: January 4, 2021
New York, New York



COLLEEN McMAHON
Chief United States District Judge